



Attorney General Lawrence Wasden

Office of Attorney General
700 W. Jefferson Street
P.O. Box 83720
Boise, ID 83720
Phone (208) 334-2400
Fax (208) 334-2530

**Consumer Protection
Civil Litigation Division**
Phone (208) 334-2424
or Toll Free in Idaho at:
1-800-432-3545
Fax (208) 334-2830

Consumer Protection Spotlight

A brief look at who we are and how we can help you.

As Idaho's Attorney General, I would like to help you understand how my Consumer Protection Unit can help you. Briefly, here is what we do.

The Attorney General enforces Idaho's Consumer Protection, Telephone Solicitation, Pay-Per-Telephone Call, Charitable Solicitation, and Competition Acts. These Acts protect consumers, businesses, and the marketplace from unfair or deceptive acts and practices. Our office seeks to fulfill this charge efficiently and economically through education, mediation, and enforcement.

How does that apply to you?

We help serve our state by educating consumers about prevention and solutions. By visiting Idaho schools, retirement homes, state, and county fairs we can assess the consumer needs of Idaho residents and create educational materials and programs to achieve these goals. We assist consumers through mediation, acting as a "go between" or buffer for consumers and businesses that may find it difficult to communicate with one another directly. Mediation often will resolve the consumer's complaint. We also file enforcement actions on behalf of the state. Actions are filed when a business violates one or more of the acts that our agency enforces.

Education, mediation, and enforcement help protect individuals and businesses from deceptive practices that may have a negative result.

Avoid the Phishing Net

Most consumers are wise to the many scams the Internet holds. Phishing is so named because scammers cast the bait via e-mail to consumers, hoping they will bite. Then scammers lure personal information from unsuspecting consumers. So how do you recognize a phishing scam, and what can you do to stop them?

If you are a target of phishing, you will receive an e-mail or pop-up message that appears to be from a trusted company. These e-mails and messages often contain color graphics and look just like the company's Internet site.

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Attorney General Lawrence Wasden visits with Idaho consumers

A Fresh Catch

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The e-mail or message will indicate that the company needs to verify information for its records and will ask you to provide your credit card number, automatic teller PIN number, Social Security number, or other confidential information.

If you receive a phishing email . . .

Never provide the information requested. Secondly, find the e-mail address of the real company and forward the e-mail to the company's security or fraud department. Or, you can call the company using a telephone number you know to be genuine. Maintain up-to-date anti-virus software and install a firewall protection program. Also, only use secure websites to submit sensitive or personal information. Look for the lock or key icon at the bottom of your browser and a URL with an address that begins with "https."

Finally, you can report phishing to the Federal Trade Commission (FTC). Forward the e-mail to spam@uce.gov. If you believe that you have been injured (lost money or had your identity stolen, etc.) by phishing, you can file a complaint with the FTC at www.ftc.gov. ❖

Around Idaho

State Fair News and Wrap-Up

Representatives from the Attorney General's Office were present at four Idaho State fairs this year, discussing consumer concerns with residents statewide. Consumer education booths were provided at the Western, Northern, Eastern Idaho, and the Twin Falls County Fairs, to help consumers learn about Internet safety, identity theft, credit and debt, and other consumer issues. Over 5,000 brochures were distributed at each fair to Idaho consumers. A computer was located at each booth for consumers to view pertinent information from our website and register for the National Do Not Call Registry. Additionally, no taxpayer dollars were used to fund these endeavors.

Our office will be back next year meeting and greeting the public and continuing to focus on education and consumer awareness. We look forward to seeing you next year! ❖

STOP THE FAXERS!

If you have a fax machine, you likely have received unwanted faxes from individuals or businesses advertising, among other things, stock tips, vacation packages, health care products, and computer supplies. These annoying faxes use your toner, paper, and electricity without your permission.

Unless the faxer has an established business relationship with the recipient, sending unsolicited faxes to personal or business fax machines violates the Idaho Telephone Solicitations Act (TSA), the federal Telephone Consumer Protection Act (TCPA), and the federal Junk Fax Prevention Act (JFPA).

What You Can Do If You Receive An Unwanted Fax:

Contact the advertiser. If you have a business relationship with the advertiser, you should contact the advertiser to let them know you don't want to receive any more faxes. We don't recommend calling the toll-free unsubscribe number on the fax because this confirms to the faxer that your number is active.

Install fax-filtering software on your computer. If you receive faxes through your computer, you can install a fax-filtering program that will prevent junk faxes from coming to you.

Unplug your fax machine whenever you are not using it. If you have different fax and phone numbers, you can disable your fax machine when you are not sending or expecting a fax.

File a lawsuit against the faxer. You have a private right of action under the TSA and the TCPA, which gives you the right to sue the faxer through a private attorney.

File a consumer complaint with our office. You may mail a fax complaint to our office. Please don't fax us your complaint or the faxes you received.

File a consumer complaint with the FCC. The FCC accepts complaints regarding unsolicited faxes.



Consumer specialist Rosie Panter speaks with a consumer at the North Idaho Fair

Pain and Suffering

The facts and fiction of Charitable Giving

The Consumer Protection Unit enforces the Charitable Solicitation Act, which makes unfair, false, misleading, or deceptive conduct in the solicitation of funds for a charitable organization an unlawful practice.

Did you know . . . When you are called on behalf of a charity, you probably are receiving a call from a professional fund-raiser. Professional fund-raisers have authorization from a charity to use its name, and they sell products or tickets to community events and advertise that the proceeds go to the particular charity. Professional fund-raisers usually do generate money for the charity, but they often keep 85% or more of what was earned for their own profit and operation costs (mailings, salaries, and miscellaneous expenses). Therefore, if you are not interested in the event or what is being sold, you are better off writing a check directly to the charity and bypassing the fund-raisers altogether.

Check it Out! You should carefully check out any organization that solicits you for a donation. For information about a particular national charity's activities, finances, and fundraising practices, contact the **Council of Better Business Bureaus' Philanthropic Advisory Service**, 4200 Wilson Blvd., Arlington, VA 22203-1804, (703)276-0100, or the **National Charities Information Bureau**, 19 Union Square West, Dept. FT, New York, NY 10003-3395, (212)929-6300.

Look What We've Been Up To

Take a look at some of our recent settlements and see what we've been up to!

During the past year, the Attorney General investigated several businesses for possible violations of the Consumer Protection Act. The Attorney General entered into settlement agreements with the businesses to ensure that the businesses' future activities comply with Idaho law. These are some of our settlements for 2005:

Blockbuster, Inc.: In March 2005, Attorney General Wasden entered into a settlement with Blockbuster, Inc., resolving allegations that consumers were misled by the "No Late Fee" national advertising campaign. Under the terms of the settlement, certain consumers were eligible for refunds, credit, or rental coupons. The claim period for getting refunds, etc. has passed.

Equity, Inc.: Ty Kirkpatrick, a former Nampa resident, contracted with consumers to provide them with a loan if they paid him an upfront fee. However, after accepting money from consumers, he allegedly failed to provide the loans. In August 2005, the Attorney General obtained an injunction against Mr. Kirkpatrick, which forbids him from doing business in Idaho.

Friends United Network (FUN): The Attorney General received information from consumers alleging that FUN was operating a pyramid scheme in Idaho. Following his investigation in October 2005, the Attorney General and FUN entered into a settlement, which stops FUN from doing business in Idaho. FUN also refunded money to consumers and paid the Attorney General \$1,111.50 for his attorney fees and expenses.

Ronald & Jennifer Pope: The Popes operated several Idaho businesses, including the Networth Club, and marketed a mortgage elimination program nationwide. When the Popes failed to provide the elimination of participants' mortgages, as promised in the program, consumers filed complaints with the Attorney General's Office. Following his investigation of the Popes, the Attorney General, in June 2005, entered into a settlement with them. The settlement requires the Popes to cooperate with the Attorney General in refunding consumers' money and to pay the Attorney General \$2,048.50 for his attorney fees and expenses.

Travel Management, Inc. (TMI): After investigating allegations of unlawful business practices, the Attorney General entered into a settlement agreement with TMI, a north Idaho travel agency. The June 2005 settlement allows the Attorney General to monitor TMI's future business practices to ensure it complies with the Consumer Protection Act. In addition, TMI paid the Attorney General \$1,154.50 for his attorney fees and expenses. ♦

Help! I've Fallen Victim to ID Theft and Can't Recover:

Consumer Tips for Prevention and Recovery from ID Theft and Scams

So you thought your finances were in order until you tried to buy a new car. The dealership just informed you that you could not be approved because your credit is terrible. You are shocked. You have always paid on time, your credit should be spotless. What happened?

Most likely, your identity has been stolen. But how does this happen and what do you do if it happens to you?

How your identity is stolen: An ID thief can steal your ID in a multitude of ways, but here are some of the most common:

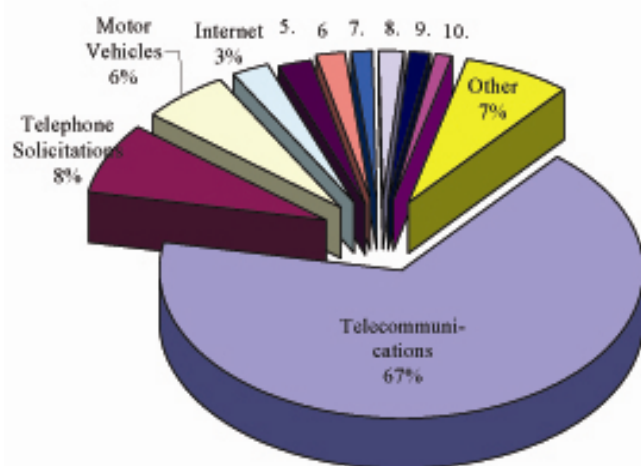
stolen wallets and purses, stolen mail, rummaging through your trash (aka "dumpster diving"), scanning your credit or debit card onto an information storage device (aka "skimming"), e-mail verification scams (aka "phishing"), and Nigerian money scams.

My identity has been stolen. What do I do?

1. Immediately contact your credit card companies and cancel all of your cards.
2. Contact your bank and change your account numbers.
3. File a police report with your local law enforcement agency.
4. Contact one of the credit reporting agencies (Equifax, Experian & Transunion). If you contact one, all three will be notified. Ask that your file be flagged with a fraud alert and ask to give a victim's statement.
5. Continue to post written fraud alerts on your account in writing for several years, as they last only 90-180 days.
6. File a complaint with the FTC. ❖

Tidbits *Consumer Protection's Top Ten Complaints for 2004*

The following numbers are from the Attorney General's 2004 Annual Report on Consumer Protection Activities.



2004 Total		4,079
1.	Telecommunications	2,726
2.	Telephone Solicitations	326
3.	Motor Vehicles	229
4.	Internet	111
5.	Mail Order Sales	92
6.	Credit Cards	69
7.	Electronic Equipment/Service	66
8.	Construction	58
9.	Retail Store Sales/Service	57
10.	Finance/Lending	50
Total of all other complaints		295

No tax dollars were used in the creation of this publication.